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merce. The Chicago City Council passed an ordinance taxing tugs, etc., twenty-five dollars each. Harmon paid the license tax under protest, and immediately brought proceedings in assumpsit, resting on the general proposition that the city of Chicago had no right to exact a license fee from boats engaged in inter-State commerce, on the ground that such an ordinance was unconstitutional, conflicting with the congressional power of regulating commerce. The defendant sought first to sustain the validity of the city ordinance on the ground that its enforcement was an exercise of police power. The court having decided this proposition untenable, the defendant contended, on rehearing, that the harbor being dredged and kept in general repair at the expense of the city of Chicago, the license fee charged vessels should be regarded merely as a proper compensation for the use of the water course and not as a tax upon the commerce in which such vessels were engaged. Having admitted that if the ordinance was in any proper sense a regulation of inter-State commerce, so far as it was so, it was repugnant to that provision of the constitution granting to congress the power to regulate commerce among the several States, and therefore void, the court said that it was equally clear that the city of Chicago, under statutory authority having improved the harbor and river at its own expense, could exact from vessels using the water course a reasonable compensation for the improvements thus furnished. This clause of the constitution and also that forbidding any State to levy imports or tonnage duties has reference in any given case only to the use of the highways, whether on land or water, *in their natural state*. "It did not contemplate that such highways could not be improved by artificial means, and for outlays caused by such work the State may exact reasonable tolls," (*Huse v. Glover*, 119 U. S. 543). As to whether such tolls could legally take the form of a license upon the tugs which navigated the river the court held that such was a proper mode of exacting compensation for the benefits conferred.

Railroad Companies—Accidents at Crossings—Trespasses—Contributory Negligence.—In the case of *Fehnrich v. Mich. Cent. R. R. Co.*, 49 N. W. Rep. 890 (Mich.), it was held that where a boy of fourteen years, in attempting to cross a track upon which an engine was standing in plain sight, and in so doing, instead of squarely crossing, turns his back upon the engine and walks along the track for a short distance, and in consequence thereof is struck and injured, it is not *per se* negligence, but is a question of fact for a jury; and

furthermore that when one in using a street for the purpose of travel comes to a railroad-crossing, he not only has a right to cross, but to walk upon it in order to get to a more direct route, and while so doing is not a trespasser so long as the track continues along the street, distinguishing case of *Kelly v. Railroad Co.*, 65 Mich. 186.

Estoppel—Proof of Handwriting.—In *Tunstall v. Cobb*, 14 S. E. Rep. 28 (N. Car.), B. conveyed land to the plaintiff by a deed which was duly registered. Afterwards an indorsement was made on the deed, purporting to be signed by the plaintiff, and relinquishing all his right to the deed. B. moved back upon the land and was permitted to occupy it until his death without paying rent. He paid the taxes, and the plaintiff several times declared that he had no claim to the land. B. died, devising the land to one of the defendants. The court held that the indorsement did not operate as a reconveyance of the land, nor was the plaintiff estopped by his conduct from claiming the land, although the defendant, in a court of equity, might enforce the endorsement as a contract to reconvey, if a valuable consideration could be shown to have passed. The genuineness of the plaintiff's signature to the endorsement was disputed, and, to prove it genuine, the defendant produced a paper, which was not connected with the case, bearing the plaintiff's signature, which a witness testified to be genuine. An expert was called to compare the two signatures. The court held, Clark, J., dissenting, that it was an error to allow the comparison, and said: "In North Carolina it seems to be settled law that an expert, in the presence of the jury, may be allowed to compare the disputed paper with other papers in the case whose genuineness is not denied, and also with such papers as the party whose handwriting gives rise to the controversy is estopped to deny the genuineness of, or concedes to be genuine; but no comparison by the jury is permitted." The decisions of the American courts on this subject have not been harmonious. See 1 Greenl. Ev. §§578-581 and 1 Whart. Ev. §713.

License—Revocation.—*Croasdale v. Lannigan*, 29 N. E. Rep. 824, decided that a mere verbal license given to an adjoining owner to erect a retaining wall on the licensor's land is revocable after the erection of such wall. The court said: "There has been much contrariety of decision in the courts of different States and jurisdictions, but the courts in this State have upheld with great steadiness the general rule that a parol license to do an act on the land of the licensor, while it justifies anything done by the